REMARKS

Favorable reconsideration of this application is requested in view of the following remarks.

The specification has been amended to correct an inadvertent error as supported by comparative examples 4 and 5 in table 2 of the specification at page 24.

Claim 1 has been amended to include the limitations of claim 7 and further include limitations as supported by the specification at page 7, lines 13-20, page 15, lines 28-29, and examples 1-4 , for example, at page 19, lines 1-10 under "(Example 1, Example 2)" with editorial revisions. Accordingly, claim 7 has been canceled without prejudice. Claim 5 has been amended editorially.

Claim 5 has been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 5 has been amended to clarify that the short pile part is shrinkable. Accordingly, this rejection is moot and should be withdrawn. Applicants do not concede the correctness of the rejection.

Claims 1-5 and 8 have been rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Saito et al. (Japanese Patent Application Publication No. 11-350298). Claim 7 has been rejected as obvious over Saito. The anticipation rejection is moot since the features of claim 7 have been included in claim 1. Applicants respectfully traverse the rejection.

Saito discloses a pile fabric that includes a flat acrylic fiber (A) 20-40 wt%, a non-shrinkable acrylic fiber (B) 20-40 wt%, and a shrinkable acrylic fiber (C) 20-60 wt% (see para. [0005]). Saito, however, fails to disclose or suggest that the fibers making up a longer pile part and a shorter pile part have an average pile length for the longer pile part of 12-25 mm and a difference between the average pile length of the longer pile part and the shorter pile part of 1-5 mm as claim 1 requires.

In addition, due to the high shrinkage property of fiber (C) of Saito, which is generally used in the art to reduce the pile length of a part of a fabric and produce the level difference in the fabric, fiber (C) would be considered as the short pile part of the fiber of claim 1, and accordingly, fibers (A) and (B), which have the low shrinkage property, would be considered as the long pile part of claim 1. However, the fineness value, i.e., the denier value, of fiber (A) (DL) is larger than the fineness value of fiber (C) (DS), and the DL/DS ratio of the fiber, i.e., DL/DS of fiber (A)/fiber (C) of examples, exceeds 0.8 (see tables 1 and 2 at paras. [0022]-[0023]). When DL/DS is larger, the pile fabric loses advantageous properties such as tapered effect and superior handling properties over those of conventional two-layered structure (see page 7, lines 24-29 of the specification). Likewise, when fiber (B) is taken as the long pile part, all the examples in table 1 have DL/DS ratios that exceed 0.8 (see para. [0022]).

Comparative example 6 in table 2 might be said to include fiber (B), which has lower fineness value (2 deniers) than the other fibers (5 deniers), and comparative example 8 in table might be said to include fiber (C), which has higher fineness value (7 deniers) than the others (3 or 1.5 deniers) (see para. [0023]). However, even if the DL/DS ratios of comparative examples 6 and 8 in table 2 could be evaluated to be between 0.15 and 0.8, the reference itself teaches that comparative example 6 has low handling property and poor recovery property to voluminous touch due to the too fine fiber (B) (2 deniers), and comparative example 8 has poor soft touch due to the too thick fiber (C) (7 deniers) (see para. [0021]). Thus, if anything, this aspect of Saito teaches away from the invention of claim 1.

Morcover, in Saito, flat acrylic fiber (A), which is a low shrinkage fiber, i.e., the longer pile part as discussed above, has a flat cross section shape (see tables 1 at para. [0022], respectively). Saito fails to disclose that the short pile portion has the flat cross section shape as claim 1 requires.

Accordingly, claim 1 is distinguished from Saito, and this rejection should be withdrawn.

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Claim 6 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (Japanese Patent Application Publication No. 11-350298) in view of Miyoshi et al. (U.S. Patent No. 5,976,693). Applicants respectfully traverse this rejection.

Claims 6 is distinguished from Saito for at least the same reasons as discussed for claim 1 above. Miyoshi discloses an acrylic synthetic fiber, whose surface is smoothed by a silicon treatment (see abstract). Miyoshi, however, does not disclose the fiber that has a level difference including the longer pile part and a shorter pile part, and thus Miyoshi fails to disclose the properties of the longer pile part and the shorter pile part and does not remedy the deficiencies of Saito. Accordingly, this rejection should be withdrawn. Applicants do not concede the correctness of the rejection.

In view of the above, Applicants request reconsideration of the application in the form of a Notice of Allowance.

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